

GERMAN REPLY STANDS FIRM ON SUBMARINES

Berlin Will Also Not Abandon Proscription of War Zone Travel.

AMERICANS MUST SHUN ENEMY SHIPS

Germany to Make Exceptions if the Vessels Carry No Contraband.

Special Cable Despatch to The Sun.
BERLIN, July 6.—The German reply to the second American note is due on July 9 or 10. Germany will not renounce her submarine warfare or consider the right of Americans to enter the war zone on belligerent ships as declared by the German Admiralty on February 4. If they do so they will not be immune from danger.
It is expected, however, that the German reply will propose as a concession the immunity of a limited number of belligerent ships designated to carry American passengers, provided the German Government be advised of the date of their departure from the United States and the date of their presumed entrance into the war zone.
It will also be required that security be given that such ships do not carry contraband.

PARLEYS BEFORE REPLY.

Germany Requests Them as Guide in Framing the Note.
WASHINGTON, July 6.—A new turn was given to the German submarine problem today when the State Department received what amounted to an invitation from the German Foreign Office to engage in informal discussions with the sending of Germany's reply to President Wilson's note of June 9.
The invitation came in the form of a message from Ambassador Gerard outlining the German position as explained to him at the Foreign Office. This message was transmitted to President Wilson at Corning. The President himself will dictate what the Ambassador will be authorized to reply to the officials of the German Foreign Office.
Whether the President will do this at Corning or will delay the sending of instructions to Mr. Gerard until he (the President) returns to the White House, it is not known to officials here today. It is probable, however, that the President will send instructions from Corning.
Although it is admitted that Germany has not responded to the President's request for "provisional" arrangements, preliminary exchanges in advance of the sending of her note is not at all dispelling the impression that Germany has understood that the statement of Germany's position promises the granting of President Wilson's demands, but it is felt that any further discussion will make it less probable than ever that there will be a rupture between the two Governments.

It is learned that the statement transmitted by Ambassador Gerard containing the proposals on which Germany is due to answer, is not a radical one. It does not differ radically from other expressions of Germany's views which have been coming out of Berlin for more than two weeks.
The conclusion drawn here from evidence now at hand is that Germany does not desire war with the United States, but is determined to modify or restrict her submarine operations and is trying to strike an attitude which will satisfy the Government and at the same time keep the submarine programme intact.
It is understood that the Germans have little more to suggest than that an arrangement be made for the examination, certification and identification of passenger-carrying vessels leaving American ports for the war zone. Germany is willing, it is said, to pledge herself not to attack such passenger ships in which she is convinced there is no contraband of war.
To this suggestion it is replied here that the United States can enter into no such arrangement. The German suggestion would be equivalent to yielding the principle set up in the President's note that the Americans have a right to travel in security on enemy-owned merchant ships. Berlin officials admit they are finding difficulty in working out the details of this suggestion in a way likely to make it acceptable to the United States.
It is not expected, however, when the time comes for making known to Germany the attitude of the United States toward such suggestions that they will be rejected in a way which will render impossible for Germany to reply with further suggestions or modifications of the original plan.

WILSON IN CLOSE TOUCH.

President Takes Up the Proposal From Berlin.
WASHINGTON, July 6.—Negotiations between the United States and Germany regarding the latter's submarine warfare are at last in the final stages of confidential exchanges preliminary to Germany's reply to this Government's note of June 16. The exchanges are being conducted in a friendly and unstrained manner, each Government privately sounding out the other and trying to reach a compromise.
This was the situation to-night, according to information from sources close to President Wilson. A report from Ambassador Gerard was sent here by Secretary Lansing. A brief reply was sent to Mr. Lansing during the day. It is believed that the President asked to have further details by mail of Mr. Gerard's report before sending the American Ambassador final instructions.
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Osborne Lied, Says Riley; Prison Reforms Are Mine

State Superintendent, After a Conference With Whitman, Declares Sing Sing Warden Repeatedly Ignored His Orders and Mismanaged Affairs.

WHITMAN SAYS THAT HE WILL NOT INTERFERE

ALBANY, July 6.—Gov. Whitman and State Superintendent of Prisons Riley had an hour's talk this afternoon and then Supt. Riley issued a statement answering the criticisms of Warden Thomas Mott Osborne of Sing Sing prison for the first time.
Supt. Riley points out that many of the reforms in prison administration for which Warden Osborne takes credit were inaugurated soon after Supt. Riley assumed office and before Warden Osborne was appointed.
He reviews the efforts to have transfers made from Sing Sing prison to Auburn and Great Meadow prisons to Auburn doubling up at Sing Sing, and Warden Osborne's refusal to obey orders for these transfers, running over a period of five months.
While it is admitted that changes in lists of prisoners to be transferred from Sing Sing were made these changes, it is asserted, took place in the prison, and Warden Osborne and those under his authority are responsible for them. It is plain that the superintendent does not feel that Mr. Osborne has so administered his duties as warden as to justify his appointment, which was made by Superintendent Riley over many protests of Tammany Democrats.

Removal Stage Not Reached.

While the superintendent has sole power of removing a warden, this has not yet been reached in the controversy between the State Superintendent and Warden Osborne over the doubling up of prisoners in Sing Sing.
The superintendent would not discuss his conference with Gov. Whitman and the latter likewise refused to discuss it, except to say that the Osborne situation was gone over. The Governor declared that he had asked Supt. Riley to get Warden Osborne's resignation. Mr. Whitman made it plain that whatever happened was to come from Supt. Riley, as matters stand now, and not from him.
"I would not rather not discuss the case," he said. "It is hardly my place to make any statement and whatever is said should come from Mr. Riley."
When Supt. Riley gave out his statement he remarked:
"Mr. Osborne has said he wants to fight this out. He can't fight with me. 'Judge Riley is a true peace man,' one of the employees of the superintendent's office observed.
"I am positive that good times would be reached by giving the transportation lines a reasonable increase in their earnings. I believe I know the best and quickest way to do that.
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UNDERWOOD FAVORS CENT A MILE FARE

Erie's Head Would Reduce Passenger, but Raise Freight Rates 20 Per Cent.

MILWAUKEE, Wis., July 6.—A one cent increase in freight rates were declared by President Fred D. Underwood of the Erie Railroad in an interview here today to be needed to assure the country's permanent prosperity.
President Underwood declared that the Erie cent a mile fare would not put the weight upon anyone who could not bear it.
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BIG GERMAN GUNS SENT WEST.

Trainload of Extra Heavy Artillery Passes Into Belgium.

LONDON, July 6.—The correspondent of the Times at Amsterdam telegraphs that the Germans are reported to have sent a trainload of extraordinarily heavy guns into Belgium yesterday. Everything indicates, the correspondent adds, that the German movements toward the western front are now proceeding.
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EVELYN THAW GOES, AND DOESN'T TESTIFY

"She's Disappeared," Say State's Lawyers, but Reporters Find Her Easily.

RETURNS TO MOUNTAINS

Avoids Going on Stand by Presenting Certificate From Local Doctor.

Connecticut for the State in the Harry Thaw insanity hearing before Justice Hendrick and a jury brought Evelyn Nesbit Thaw to Manhattan from the Adirondack camp of her vaudeville partner, Jack Clifford, yesterday morning, and then, so Mrs. Thaw told newspapermen, informed her that she could turn right around and go back to the Adirondacks and stay there as long as she likes without testifying. Mrs. Thaw boarded a train for the return trip to the mountains at 9:30 P. M.
Mrs. Thaw, and she was backed up by the State's leading alienist, Dr. Austin Flint, said representatives of the Attorney-General's office had told her only after she arrived at 8 A. M. that only a certificate from a local physician was necessary to excuse her from appearing in court. This physician, said to be Dr. Bernard Livingston of 535 West 113th street, after an examination, agreed, according to Mrs. Thaw, that although she was free from any organic trouble, her nervous condition was such that it would be inadvisable to have her undergo the ordeal of taking the witness stand for a lengthy court examination.
Whereupon, after a shopping trip Mrs. Thaw went to the 23rd Street and Eleventh street and did not appear at the County Court House, where the insanity hearing is being held. Instead, she announced that she would go back to the Adirondacks on the Montreal Express leaving the Grand Central Terminal at 9:34 o'clock last night.

A Deep, Dark Mystery.

But the State, for some reason or other, made much mystery of Mrs. Thaw's whereabouts during the forenoon and afternoon sessions. One newspaperman, said Deputy Attorney-General George M. Weed, the son of Smith M. Weed, is the Deputy State Superintendent of Prisons and acted as warden at Sing Sing following the retirement of Warden Clancy and pending the appointment of Warden Osborne.
Mr. Whitman has felt that as Riley and Osborne are both Democrats and that as Osborne is an appointee of Riley he (the Governor) should not interfere in the prison administration.
Continued on Fifth Page.

WHO IS TO PAY FOR LONGWORTH'S BED?

That's the Absorbing Question at Hartford as Outgrowth of Banquet.

HARTFORD, Conn., July 6.—Who's going to settle for Nicholas Longworth's bed at the Allyn House last January 29? Is the absorbing question here now.
The management of the Allyn House to-day placed with a local lawyer a bill for \$720.65, partly incurred in the lodging and entertainment of Col. Roosevelt's son-in-law, who was the principal speaker at the annual banquet of the Connecticut McKinley Association. The son-in-law was sent \$555 on the bill and the balance.
If the association remains obstinate and if Mr. Longworth and two other guests of honor, Congressman Richard P. Freeman of New London and Compensation Commissioner George B. Chandler, don't make good for the bills they incurred, and various refreshments the matter will be taken to court.
In the disputed balance are included five bottles of champagne, four bottles of beer, a case of soda water, a case of cigars, and a case of cigarettes. The committee believed, \$225 a plate, and there is some dispute over the total number of plates.
Ex-Gov. Frank B. Weeks was the toastmaster and at the speakers' table were Republican State Committee Chairman J. J. Housley, Congressman Charles J. Tilson and Editor Charles H. Clark of the Hartford Courant, which said the next morning: "A fine dinner was served."
"Nevertheless I accepted the service of a subpoena as a matter of duty and not because I intended to. No woman wants to testify against her husband in a case like this and I didn't want to testify against mine."
"I don't want to see Mr. Thaw go back to the mountains—a hellhole on earth—but I do believe and have always believed that he should be held in restraint, told representatives of the State, however, that I would testify as fully as was wished if I was physically able to do so or if I had anything new to say."
"But I convinced them I have nothing new to add to my previous testimony. As for stories that I feared to take the stand because of a doctor's examination to which I might be subjected, I wish to say now that I have been examined by many lawyers in the past and have not used any of them. As I have nothing but the truth to tell, I have no fear of court room examinations. Inasmuch as I have nothing new to tell I hope my testimony at former hearings will be read into the records."
Makes a Correction.
Mrs. Thaw here said she wished to correct an impression that she ever had given an interview to a morning newspaper in which she was made to criticize Justice Hendrick. Justice Hendrick in replying to the newspaper and Mrs. Thaw said the interview gave forth the impression that she was instructing him in the jury in their duties in the present Thaw hearing. That, said Mrs. Thaw yesterday, was further from her mind.
Continued on Fourth Page.

LAST HOUR RUSH TO SAVE BECKER BEGUN

Lawyers of Wide Reputation Aid Him—Strange Hand Seen in Case.

NEW INQUIRY IS OBJECT

Stress Again Being Laid on Big Tim's Possible Connection With Case.

The phase of the Charles Becker case which, during the last few days especially, appears to be overshadowing all other public interest in Becker's affairs about town is the size and seemingly systematic growth each day of the movement to save Becker from the chair.
Becker hasn't a cent left, say his friends. His wife has to teach school to support herself. He has no money, the same friends have been insisting, to pay for even the first steps of bringing his case before the Federal courts.
On the other hand, during the last ten days lawyers of wide reputation have come forth with interviews and legal services which are being offered daily in Becker's behalf. Men prominent in other walks of life are being quoted in interviews in which they not only give reasons why they think Becker innocent but suggest procedures which if listened to with sufficient attention by the Appellate Court, may result in a stay of execution.
As recently as last Sunday a lawyer described by Warden Osborne of Sing Sing as a man of big reputation in criminal law spent a part of his holiday week end suggesting to the warden legal procedure which Mr. Osborne thought well enough of to impart to Becker in the death house.

The Tim Sullivan Story.

The story that the late Timothy D. Sullivan was not killed by a train but murdered by persons responsible also for Rosenthal's death is being repeated daily by several newspapers as a reason for holding John Doe inquires into Big Tim's death, thus bringing the informers who testified against the murder of Rosenthal, added, some suggestions yesterday to his recent advocacy of a John Doe inquiry into the whole Rosenthal murder case.
Mr. McIntyre, said he does not advocate a new inquiry into the murder after the testimony has been passed upon by the highest court in the State in order to change the mind of Big Tim had been in good luck up to the time of the story that Big Tim Sullivan was murdered, a story that was hunted for last few days, was hunted for last few days.

Contentions of Friends.

The contention of some of those who profess to believe there is a connection between the death of Rosenthal and the death of Big Tim is that Big Tim had been killed would have come forward with facts which would have freed Becker.
Sullivan, it is said by several in Becker's camp, is convinced in his own mind that Becker would be acquitted. When a jury found Becker guilty, say Becker's friends, the politician was deeply shocked and grieved at Becker's plight. Then when it seemed that he might at any moment come forward with statements that would free Becker, he died.
The Sullivan clubhouse, 297 Bowers, on the night before Big Tim was buried the Rev. James F. Curry, Becker's spiritual adviser said yesterday that he had been talking to Sullivan about the case and that he had been told by the politician had been murdered. It was said Father Curry was told also by this relative that Sullivan had been told by a relative of Sullivan's death, but had been worrying because some one had got into trouble indirectly through Big Tim.
Sullivan's friends, however, now say, was the man who had got into trouble and thereby had given Big Tim reason for worry over the affair.

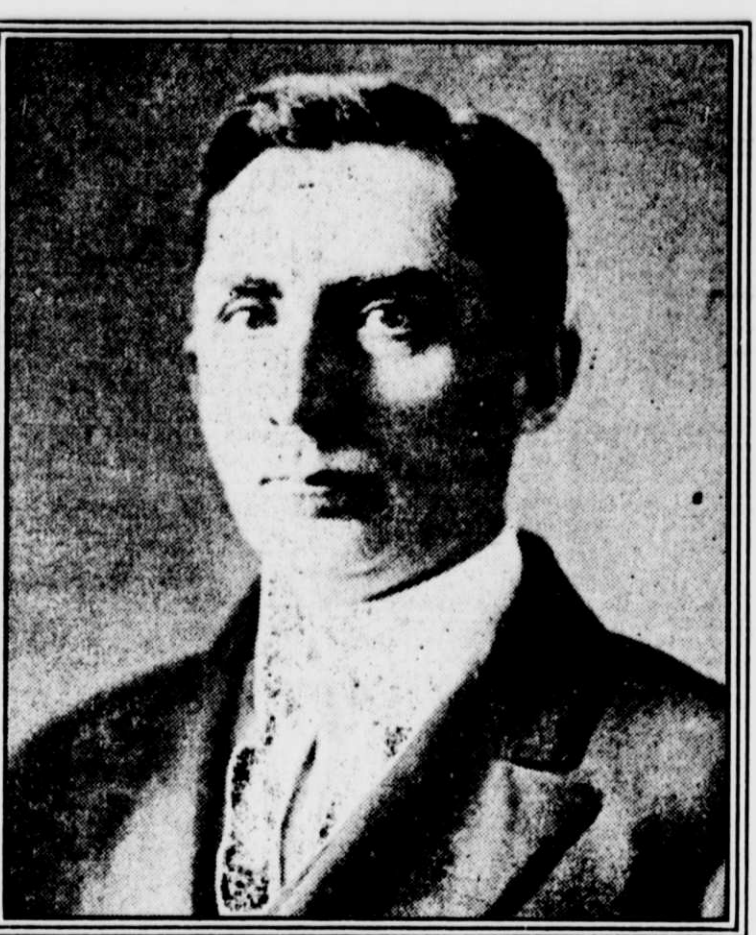
Favors Death Penalty.

One of the things which especially impressed Father Curry was the insistence that with Becker's friends, who insist that he favors capital punishment when men are justly accused of murder.
"It is not the thought of death that hurts me," Father Curry quoted Becker as saying, "but the thought that I will be put to death as a murderer. I want vindication, not commutation of sentence."
"I am absolutely sure of Becker's innocence," concluded the priest.
Although Mr. Curry, associated with W. Bourke Cockran in Becker's final fight for liberty, gave to reporters last week an interview in which Mr. Mantion said he had given to Gov. Whitman the names of men implicated by Becker in graft distribution, a dispatch received from Albany last night said Mr. Mantion has written the Governor a letter in which Becker's lawyer denies that he ever had said the Governor, "in the interest of justice," should make the names public.
ALBANY, N. Y., July 6.—Gov. Whitman today made public a letter written by Martin T. Mantion, a relative of Police Lieutenant Charles Becker, denying that he made a statement declaring the Governor in the interest of justice should give out the names of the men implicated by Becker in graft distribution.
The Governor said that Becker could not be held in custody for the purpose of making a statement.

Cottage Rented by Holt.

It said that two weeks ago last Saturday Totten rented the cottage, on the outskirts of Central Park, which is only four miles from Syosset, where Holt, under the name of C. Hendricks, received 120 pounds of dynamite by freight.
Totten was soon a marked man in the village. His appearance was so singular that the country folk found plenty to discuss about him before his actions attracted their attention. But it was not long before his queer way of living was the chief topic of interest in the town.
Totten spent most of the time indoors in spite of his tale of ill health, and when he was observed he was standing in or from the railroad station or hurrying over a bonfire in his yard.

HOLT DIES AFTER DIVE FROM TOP TIER OF JAIL; DYNAMITE PLANT FOUND



Frank Holt. From a photograph taken at Ithaca while he was an instructor in the Cornell faculty.

TRUNK FULL OF HOLT'S DYNAMITE FOUND HERE

Detectives Located More Than a Hundred Sticks, Shipped by Him, in Livery Stable in West Thirtieth Street—Nassau Co. Cache Discovered.

A trunkful of dynamite, picric acid, fuses and all the articles necessary in bomb manufacturing, shipped by Frank Holt under the name of P. H. Hendricks from Mineola, was found last night by Capt. Tunney and his detectives on the fifth floor of John W. Griffiths' warehouse, at 342 West Thirtieth street.
After opening the trunk, the detectives left it in charge of Owen Egan of the bureau of combustibles, and set off to get another trunkful of explosives they have traced. Altogether there are 250 pounds of the explosives that Holt brought into the city. The trunk first found contained half of it.
The trunk was taken down into Griffiths' office and opened. There were 134 sticks of 20 per cent. dynamite, three tin cans for making bombs, two boxes of electric fuses, one box of 6 blasting caps, one package of white powder (supposed to be picric acid), a coil of time fuse, a dry battery, a package of sal ammoniac, powder, fuses, matches that can be lit in a high wind, six wooden containers filled with fulminate of mercury, a box of fulminating caps and a soldering iron.
Egan, who watched the trunk until it could be sent to the department of combustibles bomb proof shelter, said that the detectives had traced the trunk from Holt. The powder was Keystone powder, made in Pennsylvania by the same firm that made the dynamite found in Holt's bag after he was arrested for shooting Mr. Morgan.
Egan did not know from where it had been shipped, but it was taken to the warehouse on July 3, the day Mr. Morgan was shot. The warehouse is a New York Transfer Company located the expressman who handled the trunk, and he picked it out of a pile of boxes and trunks which had been piled up in the warehouse.
Then the detectives went off to find the other trunk or box, and told Egan they would find it before morning.

Match Heads Used in Bomb.

The importance of this is plain when it is recalled that the bomb which damaged the Capital last Friday night and which Holt admitted having planted was made, according to Holt's own admission, with match heads, and above that part of the arrangement was a bottle of sulphuric acid, inverted so that when the trigger was pulled the acid would fall on the matches, which would explode the dynamite.
In line with this same arrangement was the discovery of several scores of corks of various thicknesses, some of them shaved almost as thin as paper, and then grading up in thickness until they reached their normal size.
Some of these corks were blackened, as if by acid, and there is no doubt in the minds of the police that Holt practised with his acid on these corks until he found out just how long it would take the acid to burn through a given thickness. There was a silver fork, stained as if by acid. There was a small bottle containing what smelled like a combination of benzine and alcohol.
Mrs. John Duff, next door neighbor of Totten, said that she remembers that Holt's story to her was that he saw Totten drive up to his cottage and take two bundles covered with oak leaves, the wagon. As G. Hendricks also believed to have been Holt, got his shipments of dynamite at Syosset, four miles away, at 3 o'clock Thursday, this is an additional fact of interest.
Charles H. Salade, sales manager of the Etna Explosives Company, Inc., of 2 Rector street, spent much of yesterday in investigating the report that his company made the shipment of dynamite to "C. Hendricks," which a stranger called for at the railway station at Syosset, L. I., on Tuesday evening of last week.
"Apparently there is no doubt that the dynamite was purchased from us," said Mr. Salade last evening. "It seems to have been consigned by the Keystone National Company, which became a part of our corporation recently."
"We list all our cash sales by number and it takes some time to trace the numbers. The order may have been placed by telephone or by one of our agents. I have been delayed in my investigations by the Fourth of July holiday, but I shall probe the records until I know all about this purchase and its delivery."

Dynamite Plot Affecting Many Parts of the Country Coming to Light.

ELUDED GUARD WHO WAS WATCHING HIM

Feigned Sleep and Slipped Out of Unlocked Door To Corridor.

LETTERS DISCOVERED IN PRISONER'S CELL

Report Spread Holt Was Shot by Some One Outside the Prison.

MINNEOLA, L. I., June 6.—Frank Holt, former instructor in German at Cornell, who shot J. P. Morgan at the latter's summer home on East Island, Glen Cove, last Saturday, killed himself to-night in the Nassau county jail, where he was a prisoner.
Dr. Clegghorn, the county physician, said that Holt killed himself by throwing himself from the top of a tier of cells after getting out of his own cell, the door of which had been left open, and striking on the concrete floor of the corridor. His face and skull were crushed in, and he lived but a few minutes.
Another report had it that he was killed by a shot which was fired at him by some one outside the jail. Word to this effect, it was said, was telegraphed by Police Commissioner Woods to Major Fullman, Superintendent of the Police of the District of Columbia, who was interested in Holt because the prisoner confessed that he was the man who had exploded a bomb in the national Capitol.
Later Mr. Woods telephoned to the local authorities that his telegram to Major Fullman had been based on misinformation and that he was convinced Holt had killed himself by jumping.

Report Spread Holt Was Shot by Some One Outside the Prison.

Coroner Walter R. Jones issued the following statement after an autopsy had been performed by Dr. Clegghorn, the prison physician, upon Holt's body:
"Holt came to his death by a compound fracture of the skull and cerebral hemorrhage caused by a fall."
Holt's body was removed to C. E. Cornell's morgue in Hempstead.
An autopsy was performed late to-night which showed that Holt died from a compound fracture of the skull. No bullet wounds were found.
It was reported late to-night that Holt had planned a wholesale destruction of public buildings by dynamite. Among the public buildings included in this programme, according to the report, were the New York Public Library, the State Capitol at Albany and the Pennsylvania State Capitol at Harrisburg.
The chief reason for Holt's suicide, in the view of some of those connected with the case, was the accumulating evidence tending to show that Holt was Erich Muester, Harvard instructor, wanted in Boston for the murder of his wife by poison in 1906.
The authorities found a letter written by Holt, in the bed, just after Holt was found on the floor. The letter indicated clearly that Holt had planned to end his life and was waiting only for a favorable chance. Just why this letter was not found sooner is not explained by the jail authorities. They stated during the day that although Holt spent much of his time writing they took all the letters and other writing away from him when he finished and read them.
The letter was addressed presumably to Holt's wife and children, and read: "MY DEARS: I must write to you once more. The more I think about it, the more I am convinced of the necessity of living under these circumstances."
"Bring up the dear babies in fear of God and man. Good-by, my sweet."
"ERICH MUESTER."
There was a postscript which read: "All please pardon me for all the heartaches I've brought you. Pray with me that the slaughter will stop. My heart breaks. Good-by."

Letter Left to Family.

This letter was turned over to District Attorney Smith.
Holt was being watched by Jerry GIBSON, a keeper, who sat in a chair outside the cell with his back to the door. The door had been left open and Holt was seen to get up and stand at the end of the corridor attracted the guard's attention. GIBSON got up and started to see what was going on. Holt jumped off his bunk, ran out of his cell into the corridor and shined up the front of the opposite cell to the top of the tier. Then he flipped backward and fell on the floor. He fell about twenty-five feet, according to the county physician.
Thought He Heard Explosion.
GIBSON said that he hadn't gone more than fifteen feet when he heard a noise that sounded to him like the report of a pistol or percussion cap and when he saw Holt bleeding on the floor he thought was an explosion, rushed in from the jail office. County Physician Clegghorn was